

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
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ELECTRONICALLY FILED
DOC#:
DATE FILED: Aug. 10, 2021

Cindy Plasencia,

Plaintiff,

-against-

**City of New York Department of
Education,**

Defendant.

19-CV-11838 (ALC)

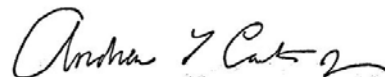
ORDER

ANDREW L. CARTER, JR., United States District Judge:

Defendant filed its motion to dismiss, including accompanying papers, on January 12, 2021. ECF Nos. 26-29. Plaintiff's opposition was originally due February 12, 2021, ECF No. 24, and, due to the Court granting Plaintiff's several requests for extension to oppose Defendant's motion as she searches for a lawyer, her deadline to oppose was extended through July 30, 2021. ECF No. 47. This Court's June 25, 2021 Order also directed Plaintiff to file a status report on July 9, 2021. *Id.* Though Plaintiff did not file that status report, the Court will construe Plaintiff's letter application for an extension through August 30, 2021 as a response to the June 25, 2021 Order. ECF No. 51. It appears that Plaintiff has not yet found a lawyer. *Id.*

Because Plaintiff is still in the process of hiring an attorney and in an effort to promote efficiency, the Court hereby **DENIES** without prejudice the pending motion to dismiss, ECF No. 26, as Plaintiff still intends to hire counsel. Once she hires counsel, the Court will set a new briefing schedule for the motion to dismiss. The application for an extension to oppose Defendant's motion, ECF No. 51, is therefore **DENIED** as moot. **PLAINTIFF IS ORDERED TO SUBMIT A LETTER TO THE COURT NO LATER THAN AUGUST 30, 2021 INFORMING THE COURT (1) WHETHER SHE HAS HIRED A LAWYER, AND IF NOT (2) HOW MUCH MORE TIME SHE NEEDS TO HIRE A LAWYER.** ANY FAILURE BY PLAINTIFF TO FILE THIS LETTER MAY RESULT IN DEFENDANT'S MOTION TO DISMISS BEING TREATED AS UNOPPOSED. The Clerk of Court is directed to terminate the motion at ECF No. 26. Defendant is **ORDERED** to serve this Order on Plaintiff and file proof of service no later than **August 12, 2021**.

SO ORDERED.



Dated: August 10, 2021

New York, New York

**ANDREW L. CARTER, JR.
United States District Judge**